



# DIGEST SUPPLEMENT

To Legislative Digest and History of Bills  
Edition No. 1 Supplement No. 28\*

FIFTY-SEVENTH LEGISLATURE

Thursday, February 21, 2002

39th Day - 2002 Regular

## SENATE

SB 5416-S  
SB 5831-S  
SB 6034-S2  
SB 6076-S  
SB 6464-S  
SB 6528-S  
SB 6682  
SB 6704-S  
SB 6718-S2  
SB 6818  
SB 6819  
SB 6820

## HOUSE

HB 2224-S  
HB 2305-S  
HB 2411-S  
HB 2662-S  
HB 2707-S  
HB 2750-S  
HB 2866-S  
HB 2977

## LIST OF BILLS IN EDITION NO. 1 SUPPLEMENTS

See separate publication in Bill Room for List of Bills for Supplements 1 through 25

## SENATE

SB 5425-S2 ..... Supp. 27  
SB 5833 ..... Supp. 26  
SB 6412-S ..... Supp. 26  
SB 6524-S ..... Supp. 27  
SB 6525 ..... Supp. 26  
SB 6675 ..... Supp. 27  
SB 6726 ..... Supp. 27  
SB 6816 ..... Supp. 26  
SB 6817 ..... Supp. 26  
SJR 8227 ..... Supp. 26  
SCR 8432 ..... Supp. 26  
SCR 8433 ..... Supp. 26  
SCR 8434 ..... Supp. 27

## HOUSE

HB 1411-S ..... Supp. 27  
HB 1663-S ..... Supp. 27  
HB 2325-S ..... Supp. 26  
HB 2356-S ..... Supp. 26  
HB 2427-S2 ..... Supp. 26  
HB 2440 ..... Supp. 26  
HB 2544-S ..... Supp. 27  
HB 2563-S2 ..... Supp. 27  
HB 2663-S2 ..... Supp. 26  
HB 2735-S ..... Supp. 27  
HB 2829-S ..... Supp. 27  
HB 2844-S ..... Supp. 27  
HB 2918 ..... Supp. 26  
HB 2968 ..... Supp. 26  
HB 2971 ..... Supp. 26  
HB 2972 ..... Supp. 26  
HB 2973 ..... Supp. 26  
HB 2974 ..... Supp. 26  
HB 2975 ..... Supp. 26  
HB 2976 ..... Supp. 27  
HCR 4425 ..... Supp. 26

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### House Bills

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**HB 2224-S** by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Benson and Hatfield)

Licensing specialty producers of certain lines of insurance.

(AS OF HOUSE 2ND READING 2/18/02)

Provides that a vendor that intends to offer insurance under this act must file a specialty producer license application with the commissioner. Before the commissioner issues such a license, the vendor must be appointed as the agent of one or more authorized appointing insurers under a vendor's specialty producer license.

Declares that, upon receipt of an application, if the commissioner is satisfied that the application is complete, the commissioner may issue a specialty producer license to the vendor.

Declares that a specialty producer license authorizes a vendor and its employees and authorized representatives to offer and sell to, enroll in, and bill and collect premiums from customers for insurance covering communications equipment on a master, corporate, group, or individual policy basis.

Declares that a vendor issued a specialty producer license under this act is subject to RCW 48.17.540 through 48.17.560.

**-- 2002 REGULAR SESSION --**

Feb 8	FII - Majority; 1st substitute bill be substituted, do pass. Passed to Rules Committee for second reading.
Feb 16	Placed on second reading by Rules Committee.
Feb 18	1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 97; nays, 0; absent, 1.

**- IN THE SENATE -**

Feb 20	First reading, referred to Labor, Commerce & Financial Institutions.
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**HB 2305-S** by House Committee on Local Government & Housing (originally sponsored by Representatives Hatfield, Doumit, Kessler, Grant, Kirby, Edwards and Linville)

Clarifying the application of shoreline master program guidelines and master programs to agricultural activities on agricultural lands.

(AS OF HOUSE 2ND READING 2/18/02)

Declares that the guidelines adopted by the department and master programs developed or amended by local governments according to RCW 90.58.080 shall not require modification of or limit agricultural activities occurring on agricultural lands.

Provides that, in jurisdictions where agricultural activities occur, master programs developed or amended after the effective date of this act shall include provisions addressing new agricultural activities on land not meeting the definition of agricultural land, conversion of agricultural lands to other uses, and development not meeting the definition of agricultural activities. Nothing in this provision limits or changes the terms of the current exception to the definition of substantial development in RCW 90.58.030 (3) (e) (iv).

Declares that nothing in this provision shall limit or affect growth management act critical area ordinances under RCW 36.70A.060.

Declares that the provisions of this act do not become effective until the earlier of either January 1, 2004, or the date the department of ecology amends or updates chapter 173-16 or 173-26 WAC.

**-- 2002 REGULAR SESSION --**

Feb 8	LGH - Majority; 1st substitute bill be substituted, do pass. Minority; without recommendation. Passed to Rules Committee for second reading.
Feb 11	Made eligible to be placed on second reading.
Feb 14	Placed on second reading by Rules Committee.
Feb 18	1st substitute bill substituted. Floor amendment(s) adopted. Rules suspended. Placed on Third Reading. Third reading, passed: yeas, 73; nays, 25; absent, 0.

**- IN THE SENATE -**

Feb 20	First reading, referred to Natural Resources, Parks & Shorelines.
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**HB 2411-S** by House Committee on Select Committee on Community Security (originally sponsored by Representatives Haigh, Schmidt, Hurst and Buck; by request of Governor Locke and Attorney General)

Protecting certain domestic security records.

(AS OF HOUSE 2ND READING 2/16/02)

Proposes to protect those portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to terrorism crimes specified in sections 3 through 8, chapter . . . (Substitute House Bill No. 2879), Laws of 2002, the public disclosure of which would have a substantial likelihood of threatening public safety,

containing: (1) Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or to the response or deployment plans;

(2) Specific intelligence information and specific investigative records shared by federal and international law enforcement agencies with state or local law enforcement, the governor, the military department, the department of transportation, state and local health departments, or state and local emergency management agencies, to the extent necessary and for the period of time necessary to prevent, mitigate, or respond to terrorism crimes specified in sections 3 through 8, chapter . . . (Substitute House Bill No. 2879), Laws of 2002; and

(3) National security records classified under federal executive order and not subject to public disclosure under federal law that are shared by federal agencies, and records prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism.

Proposes to protect information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities.

Provides that, no later than September 1, 2004, the joint legislative audit and review committee shall review the effect of RCW 42.17.310(1) (ww) and (aaa) on state agency performance in responding to requests for disclosure of records under chapter 42.17 RCW. In conducting this review the joint legislative audit and review committee shall select a representative sample of requests for public disclosure, and the agencies' responses to those requests, from up to five state agencies. The joint legislative audit and review committee shall report its findings to the legislature no later than November 30, 2004.

#### **-- 2002 REGULAR SESSION --**

Feb 8      SCCS - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.

Feb 15      Placed on second reading by Rules Committee.

Feb 16      1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 96; nays, 2; absent, 0.

#### **- IN THE SENATE -**

Feb 19      First reading, referred to State & Local Government.

**HB 2662-S**      by House Committee on Commerce & Labor (originally sponsored by Representatives McDermott, Wood, Miloscia, O'Brien, Cody, Conway, Edwards, Lysen, Chase and Santos)

Making payroll deductions for individual providers as defined in RCW 74.39A.240(4).

#### **(AS OF HOUSE 2ND READING 2/18/02)**

Provides that, upon the written authorization of an individual provider within the bargaining unit and after the certification or recognition of the bargaining unit's exclusive bargaining representative, the state as payor, but not as the employer, shall deduct from the payments to an individual provider the monthly amount of dues as certified by the secretary of the exclusive bargaining representative and shall transmit the same to the treasurer of the exclusive bargaining representative.

Declares that, if the home care quality authority and the exclusive bargaining representative of a bargaining unit of individual providers enter into a collective bargaining agreement that: (1) Includes a union security provision authorized in RCW 41.56.122, the state as payor, but not as the employer, shall, subject to this act, enforce the agreement by deducting from the payments to bargaining unit members the dues required for membership in the exclusive bargaining representative, or, for nonmembers thereof, a fee equivalent to the dues; or

(2) Includes requirements for deductions of payments other than the deduction under this act, the state, as payor, but not as the employer, shall make such deductions upon written authorization of the individual provider.

#### **-- 2002 REGULAR SESSION --**

Feb 8      CL - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Referred to Appropriations.

Feb 11      APP - Majority; do pass 1st substitute bill proposed by Commerce & Labor.  
Minority; do not pass.

Feb 12      Passed to Rules Committee for second reading.

Feb 16      Placed on second reading by Rules Committee.

Feb 18      1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 53; nays, 44; absent, 1.

#### **- IN THE SENATE -**

Feb 20      First reading, referred to Labor, Commerce & Financial Institutions.

**HB 2707-S**      by House Committee on Health Care (originally sponsored by Representatives Edwards, Skinner, Cody and Schual-Berke)

Concerning long-term caregiver training.

(AS OF HOUSE 2ND READING 2/18/02)

Provides that the orientation, basic training, specialty training, and continuing education requirements of this act commence September 1, 2002, or one hundred twenty days from the date of employment, whichever is later, and shall be applied to: (1) employees hired subsequent to September 1, 2002; and

(2) existing employees that on September 1, 2002, have not successfully completed the training requirements under RCW 74.39A.010, and this act. Existing employees who have not successfully completed the training requirements under RCW 74.39A.010, 74.39A.020, and this act shall be subject to all applicable requirements of this act. However, nothing in this act affects the current training requirements under RCW 74.39A.010.

Requires the department to publish its final basic and specialty training competencies and learning outcomes as required by chapter 121, Laws of 2000 no later than June 1, 2002.

**-- 2002 REGULAR SESSION --**

- Feb 8 HC - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.  
Referred to Appropriations.
- Feb 11 APP - Executive action taken by committee.  
APP - Majority; do pass 1st substitute bill proposed by Health Care.
- Feb 12 Passed to Rules Committee for second reading.
- Feb 16 Placed on second reading by Rules Committee.
- Feb 18 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 97; nays, 0; absent, 1.

**- IN THE SENATE -**

- Feb 20 First reading, referred to Health & Long-Term Care.

**HB 2750-S** by House Committee on Finance (originally sponsored by Representatives Gombosky, Nixon, Wood, Ballasiotes, Conway, Veloria, Ogden, Chase, Berkey, Skinner and Edwards)

Providing a limited property and leasehold tax exemption for the incidental use of artistic or scientific facilities.

(AS OF HOUSE 2ND READING 2/18/02)

Finds that artistic, scientific, or historical organizations and organizations engaged in the production and performance of musical, dance, artistic, dramatic, or literary works provide many public benefits to the people of the state of Washington.

Finds that it is in the best interest of the state of Washington to provide a limited property tax and leasehold excise tax exemption for incidental use of the facilities of certain organizations to allow these organizations to better raise additional revenues from the public to be self-sustaining for their exempt purposes.

Declares that the exemption for properties described in RCW 84.36.060(1) that are loaned or rented to any person, for-profit organization, or business enterprise not eligible for a tax exemption shall be determined by one or more of the methods in this section as appropriate.

(1) The portion of the property used for the nonexempt purpose may be segregated and taxed at one hundred percent of assessed value.

(2) If income from loans or rentals to nonexempt users does not exceed ten percent of gross income from all sources in a calendar year the property is exempt on one hundred percent of the assessed value.

(3) If income from loans or rentals to nonexempt users exceeds ten percent of gross income from all sources in a calendar year, the property is subject to taxation in an amount equal to the assessed value multiplied by the proportion of income from such loans or rentals to the gross income for all sources in any calendar year.

Exempts all leasehold interests created in publicly owned real property used by nonprofit artistic, scientific, and historical organizations and nonprofit associations engaged in the production and performance of musical, dance, artistic, dramatic, or literary works that would be exempt from property tax under RCW 84.36.060(1) if they owned the property. If the publicly owned property is used for any taxable purpose, the leasehold excise taxes set forth in RCW 82.29A.030 and 82.29A.040 shall be imposed and apportioned consistent with the procedures in this act.

**-- 2002 REGULAR SESSION --**

- Feb 11 FIN - Majority; 1st substitute bill be substituted, do pass.
- Feb 12 Passed to Rules Committee for second reading.
- Feb 15 Placed on second reading by Rules Committee.
- Feb 18 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 98; nays, 0; absent, 0.

**- IN THE SENATE -**

- Feb 20 First reading, referred to Ways & Means.

**HB 2866-S** by House Committee on Natural Resources (originally sponsored by Representatives Doumit, Sump, Reardon, Schoesler, Linville, Kessler, Morris, Mulliken, Hatfield, Pearson, Grant, Armstrong and McMorris)

Limiting overlapping jurisdiction regarding the permitting of storm water projects.

(AS OF HOUSE 2ND READING 2/16/02)

Recognizes that the department of ecology is primarily responsible for the approval of storm water projects.

Declares that the regulation of storm water projects is the primary responsibility of the department of ecology and local governments under chapter 90.48 RCW. Notwithstanding any other provision of this act, all hydraulic project approvals related to storm water discharges must follow the provisions established in this provision.

Declares that once the department of ecology or a local government has approved a storm water project that is consistent with the guidelines contained in the department of ecology's adopted storm water manual, or its equivalent, a hydraulic project approval is only required for the actual construction of any storm water outfall or associated structures pursuant to this chapter.

Provides that conditions imposed upon hydraulic project approvals must be reasonably related to the project. The conditions must ensure that the project provides proper protection for fish life, but the department may not impose conditions that attempt to optimize conditions for fish life that are out of proportion to the impact of the proposed project.

**-- 2002 REGULAR SESSION --**

- Feb 8 NR - Majority; 1st substitute bill be substituted, do pass.  
Minority; without recommendation.  
Passed to Rules Committee for second reading.
- Feb 13 Made eligible to be placed on second reading.
- Feb 14 Placed on second reading by Rules Committee.
- Feb 16 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 74; nays, 24; absent, 0.

**- IN THE SENATE -**

- Feb 19 First reading, referred to Natural Resources, Parks & Shorelines.

**HB 2977** by Representatives Doumit, Sump, Sommers, Buck, Kessler, Alexander, Eickmeyer, Grant, Schoesler, Hatfield, Jackley, Mielke, Ahern and Edwards

Increasing oversight of the management of fish and wildlife resources.

Finds that the primary purpose of the salmon recovery office was the development of the statewide salmon recovery strategy for submittal to the appropriate federal agencies.

Finds that since the development and submittal of this strategy has been accomplished, the remaining tasks of the salmon recovery office can be accomplished through existing state agencies.

Declares a belief that by relying upon existing state agencies to accomplish salmon recovery, there will be less duplication of effort within the executive branch and a corresponding savings of resources.

Recognizes that the general public holds the governor, as the highest elected official in the state, accountable for decisions that affect fish and wildlife resources. The governor, however, does not have the authority to hire and fire the director of the department of fish and wildlife.

Declares an intent that the governor should have this authority to choose the director of the department because of the importance that decisions made by the director have upon fish and wildlife resources and upon communities.

Decodifies RCW 77.85.150.

Repeals RCW 77.85.030.

**-- 2002 REGULAR SESSION --**

- Feb 20 First reading, referred to Natural Resources.

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**Senate Bills**

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**SB 5416-S** by Senate Committee on Human Services & Corrections (originally sponsored by Senators Patterson, Stevens, Long, Hargrove, Rossi, Winsley, McAuliffe and Rasmussen)

Requiring identification of drug-affected infants and providing treatment services to their mothers. (REVISED FOR ENGROSSED: Requiring screening of pregnant and lactating women for nonprescription use of controlled substances.)

(AS OF SENATE 2ND READING 2/18/02)

Declares that, in an effort to reduce the harmful effects of drug-affected infants: (1) A woman's primary health care provider shall screen a pregnant or lactating woman for nonprescription use of controlled substances. Screening criteria may include, but is not limited to, the criteria developed by the department of health pursuant to chapter 70.83E RCW.

(2) Health care providers shall:

(a) Screen pregnant women for nonprescription use of controlled substances if they seek medical attention at the time of delivery and indicate that they have received little or no prenatal health care. Screening criteria may include, but is not limited to, the criteria developed by the department of health pursuant to chapter 70.83E RCW; and

(b) Convey to the infant's primary health care provider screening findings that would suggest the need for testing of the infant, or conduct the testing.

Does not apply to drug-affected infants born before the effective date of this act.

**-- 2001 REGULAR SESSION --**

Jan 31 HSC - Majority; 1st substitute bill be substituted, do pass.  
 Feb 1 Passed to Rules Committee for second reading.  
 Feb 2 Made eligible to be placed on second reading.  
 Feb 20 Placed on second reading by Rules Committee.  
 Mar 6 1st substitute bill substituted.  
 Rules suspended. Placed on Third Reading.  
 Third reading, passed: yeas, 46; nays, 0; absent, 3.

**- IN THE HOUSE -**

Mar 8 First reading, referred to Children & Family Services.  
 Apr 22 By resolution, returned to Senate Rules Committee for third reading.

**-- 2001 1ST SPECIAL SESSION --****- IN THE SENATE -**

Apr 25 By resolution, reintroduced and retained in present status.

**-- 2002 REGULAR SESSION --**

Jan 14 By resolution, reintroduced and retained in present status.  
 Jan 15 Placed on third reading by Rules Committee.  
 Feb 18 Rules suspended.  
 Returned to second reading for amendment.  
 Floor amendment(s) adopted.  
 Rules suspended. Placed on Third Reading.  
 Third reading, passed: yeas, 42; nays, 7; absent, 0.

**- IN THE HOUSE -**

Feb 19 First reading, referred to Children & Family Services.

**SB 5831-S** by Senate Committee on Natural Resources, Parks & Shorelines (originally sponsored by Senators Swecker, Fairley, Oke, Constantine, Regala, Rasmussen and Hochstatter)

Allowing the use of body-gripping traps under certain circumstances. (REVISED FOR ENGROSSED: Repealing the provisions of Initiative No. 713.)

(AS OF SENATE 2ND READING 2/18/02)

Repeals RCW 77.15.192, 77.15.194, 77.15.196, 77.15.198, section 1, chapter 1, Laws of 2001 (Initiative Measure No. 713) (uncodified); and section 6, chapter 1, Laws of 2001 (Initiative Measure No. 713) (uncodified).

**-- 2001 REGULAR SESSION --**

Mar 5 NPS - Majority; 1st substitute bill be substituted, do pass.  
 Minority; do not pass.  
 Passed to Rules Committee for second reading.  
 Mar 8 Made eligible to be placed on second reading.  
 Mar 9 Placed on second reading by Rules Committee.  
 Mar 21 Referred to Rules.  
 Mar 29 Senate Rules "X" file.

**-- 2001 1ST SPECIAL SESSION --**

Apr 25 By resolution, reintroduced and retained in present status.

**-- 2002 REGULAR SESSION --**

Jan 14 By resolution, reintroduced and retained in present status.  
 Jan 16 On motion, referred to Natural Resources, Parks & Shorelines.  
 Feb 7 NPS - Majority; do pass 1st substitute bill.  
 Passed to Rules Committee for second reading.  
 Feb 14 Made eligible to be placed on second reading.  
 Feb 16 Placed on second reading by Rules Committee.  
 Feb 18 1st substitute bill substituted.  
 Floor amendment(s) adopted.  
 Rules suspended. Placed on Third Reading.  
 Third reading, passed: yeas, 38; nays, 11; absent, 0.

**- IN THE HOUSE -**

Feb 19 First reading, referred to Natural Resources.

**SB 6034-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Fraser and Finkbeiner)

Providing funding for wireless enhanced 911 services.

(AS OF SENATE 2ND READING 2/18/02)

Finds that statewide enhanced 911 has proven to be a lifesaving service and that routing a 911 call to the appropriate public safety answering point with a display of the caller's identification and location should be available for all users of telecommunications services, regardless of the technology used to make and transmit the 911 call.

Finds that it is in the best public interest to ensure that there is adequate ongoing funding to support enhanced 911 service.

Declares that funds generated by the enhanced 911 excise tax imposed by RCW 82.14B.030(4) shall not be distributed to any county that has not imposed the maximum county enhanced 911 tax allowed under RCW

82.14B.030(2) or to any unit of local government where a moratorium on the siting of cellular towers that provide emergency communications services is being imposed by that government.

Provides that the state enhanced 911 coordinator, with the advice and assistance of the enhanced 911 advisory committee, shall set nondiscriminatory, uniform technical and operational standards consistent with the rules of the federal communications commission for the transmission of 911 calls from radio communications service companies to enhanced 911 emergency communications systems. These standards must not exceed the requirements set by the federal communications commission.

Repeals RCW 38.52.560.

**-- 2002 REGULAR SESSION --**

Feb 6 WM - Majority; 2nd substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

Feb 7 Made eligible to be placed on second reading.

Feb 11 Placed on second reading by Rules Committee.

Feb 13 2nd substitute bill substituted.  
Held on second reading.

Feb 18 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 49; nays, 0; absent, 0.

**- IN THE HOUSE -**

Feb 19 First reading, referred to Finance.

**SB 6076-S** by Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Oke, T. Sheldon, Snyder, Hargrove and Rasmussen; by request of Department of Fish and Wildlife)

Modifying the powers and duties of fish and wildlife law enforcement officers.

(AS OF SENATE 2ND READING 2/19/02)

Declares that fish and wildlife officers who are not ex officio officers shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally.

Requires all fish and wildlife officers employed after the effective date of this act to successfully complete the basic law enforcement academy course, known as the basic course, sponsored by the criminal justice training commission, or the basic law enforcement equivalency certification, known as the equivalency course, provided by the criminal justice training commission.

Declares that nothing in this act or RCW 10.93.020 confers membership to such officers in the Washington law enforcement officers' and fire fighters' retirement system under chapter 41.26 RCW.

Declares that authority granted under this act does not extend to quarters in a boat, building, or other property used

exclusively as a private domicile, does not extend to transitory residences in which a person has a reasonable expectation of privacy, and does not allow search and seizure without a warrant if the thing or place is protected from search without warrant within the meaning of Article I, section 7 of the state Constitution.

**-- 2001 REGULAR SESSION --**

Mar 5 JUD - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 42; nays, 4; absent, 3.

**- IN THE HOUSE -**

Mar 15 First reading, referred to Natural Resources.

Apr 22 By resolution, returned to Senate Rules Committee for third reading.

**-- 2001 1ST SPECIAL SESSION --**

**- IN THE SENATE -**

Apr 25 By resolution, reintroduced and retained in present status.

**-- 2002 REGULAR SESSION --**

Jan 14 By resolution, reintroduced and retained in present status.

Feb 4 Made eligible to be placed on third reading.

Feb 7 Placed on third reading by Rules Committee.

Feb 13 Rules suspended.  
Returned to second reading for amendment.  
Held on second reading.

Feb 19 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 25; nays, 24; absent, 0.

**SB 6464-S** by Senate Committee on Transportation (originally sponsored by Senators Jacobsen, Horn and Kohl-Welles)

Authorizing the creation of a city transportation authority.

(AS OF SENATE 2ND READING 2/18/02)

Provides that a city transportation authority to perform a public monorail transportation function may be created in every city with a population greater than three hundred thousand to perform a public monorail transportation function. The authority shall embrace all the territory in the

authority area. A city transportation authority is a municipal corporation, an independent taxing "authority" within the meaning of Article 7, section 1 of the state Constitution, and a "taxing district" within the meaning of Article 7, section 2 of the state Constitution.

Requires that any city transportation authority and proposed taxes established pursuant to this act, either by ordinance or petition as provided in this act, must be approved by a majority vote of the electors residing within the proposed authority area voting at a regular or special election.

Declares that every authority has the power to: (1) Levy excess levies upon the property included within the authority area, in the manner prescribed by Article VII, section 2 of the state Constitution and by RCW 84.52.052 for operating funds, capital outlay funds, and cumulative reserve funds;

(2) Issue general obligation bonds, not to exceed an amount, together with any outstanding nonvoter-approved general obligation indebtedness equal to one and one-half percent of the value of the taxable property within the authority area, as the term "value of the taxable property" is defined in RCW 39.36.015;

(3) Issue revenue bonds payable from any revenues other than taxes levied by the authority, and to pledge those revenues for the repayment of the bonds. Proceeds of revenue bonds may only be expended for the costs of public monorail transportation facilities, for financing costs, and for capitalized interest during construction plus six months thereafter. The bonds and warrants will be issued and sold in accordance with chapter 39.46 RCW.

Declares that every authority has the power to levy and collect a special excise tax not exceeding two and one-half percent on the value of every motor vehicle owned by a resident of the authority area for the privilege of using a motor vehicle.

Declares that every authority has the power to fix and impose a fee, not to exceed one hundred dollars per vehicle, for each vehicle that is subject to relicensing tab fees under RCW 46.16.0621 and for each vehicle that is subject to RCW 46.16.070 with an unladen weight of six thousand pounds or less, and that is determined by the department of licensing to be registered within the boundaries of the authority area.

Declares that every authority has the power to impose annual regular property tax levies in an amount equal to one dollar and fifty cents or less per thousand dollars of assessed value of property in the authority area when specifically authorized to do so by a majority of the voters voting on a proposition submitted at a special election or at the regular election of the authority.

Provides that the city transportation authority may be dissolved by a vote of the people residing within the boundaries of the authority if the authority is faced with significant financial problems.

Declares that this act is null and void if a regional transportation act does not become law by December 31, 2002.

#### -- 2002 REGULAR SESSION --

Feb 12 TRAN - Majority; 1st substitute bill be substituted, do pass.  
Minority; do not pass.

Passed to Rules Committee for second reading.

Feb 13 Made eligible to be placed on second reading.

Feb 14 Placed on second reading by Rules Committee.

Feb 18 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 26; nays, 23; absent, 0.

#### - IN THE HOUSE -

Feb 19 First reading, referred to Transportation.

**SB 6528-S** by Senate Committee on State & Local Government (originally sponsored by Senators Keiser, Eide and Costa)

Allowing governmental entities that award publicly funded contracts to select contractors using the lowest responsible bidder method.

#### (AS OF SENATE 2ND READING 2/18/02)

Authorizes all state or local governmental entities that award contracts for publicly funded projects to select contractors by the lowest responsible bidder method. Does not supercede chapter 39.10 RCW.

Provides that a state or local governmental entity that awards contracts for publicly funded projects estimated to cost more than two hundred thousand dollars must determine whether the lowest responsive bidder is responsible using the criteria in this act.

Provides that, in determining whether the lowest responsive bidder is responsible, the governmental entity awarding the contract must consider the following elements: (1) The ability, capacity, and skill of the bidder to perform the contract or provide the service required;

(2) The experience of the bidder;

(3) Whether the bidder has demonstrated the ability to perform the contract within the time specified;

(4) The satisfactory completion of previous contracts or services by the bidder;

(5) The previous and existing compliance by the bidder with contracting laws.

#### -- 2002 REGULAR SESSION --

Feb 8 SLG - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Feb 14 Made eligible to be placed on second reading.

Feb 16 Placed on second reading by Rules Committee.

Feb 18 1st substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.



Third reading, passed: yeas, 36; nays, 12; absent, 1.

**- IN THE HOUSE -**

Feb 19 First reading, referred to State Government.

**SB 6682** by Senators Winsley and Prentice

Restricting utility assessments and charges for certain mobile home parks. (REVISED FOR ENGROSSED: Restricting utility connection charges for certain mobile home parks.)

(AS OF SENATE 2ND READING 2/19/02)

Provides that cities, towns, or counties may require existing mobile home parks to replace existing, functional septic systems with a sewer system within the community when either the local board of health determines that the septic system is failing or it is at least five years after the first request to replace the septic system.

Provides that cities, towns, counties, local improvement districts, utility local improvement districts, municipal corporations, political subdivisions, or any other persons, firms, or corporations are prohibited from requiring existing mobile home parks to pay a utility assessment, connection charge, or any other charge associated with a utility until the mobile home park connects to that utility or no longer operates as a mobile home park under chapter 59.20 RCW. This act is remedial in nature and applies retroactively.

**-- 2002 REGULAR SESSION --**

Jan 26 First reading, referred to Labor, Commerce & Financial Institutions.  
Feb 8 LCF - Majority; do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.  
Feb 13 Made eligible to be placed on second reading.  
Feb 18 Placed on second reading by Rules Committee.  
Feb 19 Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 46; nays, 1; absent, 2.

**- IN THE HOUSE -**

Feb 20 First reading, referred to Local Government & Housing.

**SB 6704-S** by Senate Committee on Judiciary (originally sponsored by Senators Kline, Hargrove, Kastama, Winsley, Oke, Keiser and Johnson)

Increasing penalties for terrorist acts.

(AS OF SENATE 2ND READING 2/18/02)

Declares an intent to provide law enforcement and judicial agencies with the capacity to prevent and prosecute acts committed with terrorist intent.

Declares that the statutes creating crimes in this act are to be construed with lenity and in all respects to be done with deference to each person's state and federal constitutional guarantees.

Declares that a person is guilty of a hoax terrorist act if he or she knowingly and falsely: (1) Claims to have committed a felony with terrorist intent; or

(2) Makes any statement or takes any other action that causes or is intended to cause a reasonable belief that a felony with terrorist intent has been or will be committed.

Declares that a hoax terrorist act is a class A felony.

Declares that a person is guilty of aggravated murder in the first degree if he or she is a terrorist offender and shall be punished in accordance with the provisions of this chapter. For the purposes of this section, "terrorist offender" means an offender who commits a felony that results in the death of one or more persons and for which a special allegation of terrorist intent has been filed and proven beyond a reasonable doubt under this act.

Declares that a person is guilty of releasing radioactive material with terrorist intent if the person releases, broadcasts, or disseminates ionizing radiation with terrorist intent.

Declares that a person is guilty of possession of radioactive material with terrorist intent if the person knowingly possesses a source of ionizing radiation with terrorist intent.

Provides that releasing radioactive material with terrorist intent is a class A felony.

Provides that possession of radioactive material with terrorist intent is a class A felony.

Provides that, notwithstanding the provisions of RCW 9A.20.021, no person convicted of a classified felony with a finding of terrorist intent as provided under this act shall be punished by confinement or fine exceeding the following: (1) For a class B felony, by confinement in a state correctional institution for a term of life imprisonment, or by a fine in an amount fixed by the court of fifty thousand dollars, or by both such confinement and fine; or

(2) For a class C felony, by confinement in a state correctional institution for a term of ten years, or by a fine in an amount fixed by the court of ten thousand dollars, or by both such confinement and fine.

Applies to only those crimes committed on or after the effective date of this act.

**-- 2002 REGULAR SESSION --**

Feb 8 JUD - Majority; 1st substitute bill be substituted, do pass.  
Passed to Rules Committee for second reading.  
Feb 11 Made eligible to be placed on second reading.  
Feb 12 Placed on second reading by Rules Committee.  
Feb 18 1st substitute bill substituted.  
Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 42; nays, 7; absent, 0.

**- IN THE HOUSE -**

Feb 19 First reading, referred to Select Committee on Community Security.

**SB 6718-S2** by Senate Committee on Ways & Means (originally sponsored by Senators Fraser, Finkbeiner, Regala, Keiser, Jacobsen, Poulsen and Franklin)

Making state government a leader in clean energy consumption.

(AS OF SENATE 2ND READING 2/18/02)

Finds that: (1) As a significant consumer of energy resources and a committed steward of public health and environmental quality, Washington state government is well-positioned to be a leader in promoting and using clean energy;

(2) State government actions to promote and use clean energy are consistent with the state's environmental commitments, including addressing the potential impact to Washington's quality of life due to global climate changes and improving local and regional air quality;

(3) State government actions to promote and use clean energy are also consistent with the state's high priority policy objectives to maintain competitive energy costs and a reliable and secure supply of energy resources; and

(4) State government actions to promote and use clean energy are also consistent with the state's goals to support economic development opportunities by reducing traffic congestion and stimulating new and emerging energy technologies within the clean energy industry of the state's high-technology sector.

Directs the department of general administration to encourage each agency of state government to use clean energy resources as defined in this act. Each agency of state government shall determine the amount of clean energy resources that should be purchased and all such purchases shall be made within existing resources.

Encourages each agency to obtain at least two percent per biennium of its energy consumption from clean energy resources or a reduction in consumption of at least two percent through energy conservation and energy efficiency measures, or a combination thereof. The goal is to reach a cumulative total of ten percent by June 30, 2011.

Provides that in preparing the biennial energy report required under RCW 43.21F.045(2)(h) to be transmitted to the governor and the legislature by December 1, 2002, the department must include the designated information.

**-- 2002 REGULAR SESSION --**

Feb 12 WM - Majority; 2nd substitute bill be substituted, do pass.  
Minority; do not pass.  
Passed to Rules Committee for second reading.

Feb 14 Made eligible to be placed on second reading.

Feb 16 Placed on second reading by Rules Committee.

Feb 18 2nd substitute bill substituted.  
Floor amendment(s) adopted.  
Rules suspended. Placed on Third Reading.  
Third reading, passed: yeas, 45; nays, 3; absent, 1.

**- IN THE HOUSE -**

Feb 19 First reading, referred to Technology, Telecommunications & Energy.

**SB 6818** by Senators Fairley and Zarelli

Concerning the issuance of state general obligation bonds.

Provides that, for the purpose of providing funds for the construction, reconstruction, planning, design, and other necessary costs of the various facilities defined in chapter . . . (Senate Bill No. 6396), Laws of 2002, the state finance committee is authorized to issue general obligation bonds of the state of Washington in the sum of one hundred seventy-five million dollars, or as much thereof as may be required, to finance these projects and all costs incidental thereto. Bonds authorized in this section may be sold at such price as the state finance committee shall determine. No bonds authorized in this section may be offered for sale without prior legislative appropriation of the net proceeds of the sale of the bonds.

**-- 2002 REGULAR SESSION --**

Feb 20 First reading, referred to Ways & Means.

**SB 6819** by Senators Brown and Snyder; by request of Office of Financial Management

Making temporary amendments to the state's expenditure limitations to address the revenue shortfall in the 2001-2003 biennium.

Provides that, during the 2001-2003 biennium, any action or combination of actions by the legislature that raises state revenue or requires revenue-neutral tax shifts may be taken only if approved by a majority vote of each house, and then only if state expenditures in any fiscal year, including the new revenue, will not exceed the state expenditure limits established under chapter 43.135 RCW.

Provides that, during the 2001-2003 biennium, the legislature may transfer moneys from the emergency reserve fund to the general fund only with approval of a majority of the members of each house of the legislature, and then only if the appropriation does not cause total expenditures to exceed the state expenditure limit under this chapter.

**-- 2002 REGULAR SESSION --**

Feb 20 First reading, referred to Ways & Means.

**SB 6820** by Senators Snyder and Brown

Transferring emergency reserve funds.

Provides that, by June 1, 2002, the state treasurer shall transfer two hundred forty-six million eight hundred thousand dollars from the emergency reserve fund under RCW 43.135.045 to the state general fund.

**-- 2002 REGULAR SESSION --**

Feb 20 First reading, referred to Ways & Means.